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March 6, 2014

Honorable Harold Baer, Jr.
United States District Court Judge
500 Pearl Street, Room 2230
New York, New York 10007

Re: Gavin Solmonese, LLC v. D'Arnaud-Taylor, Case No. 13-CV-6400 (HB) (DF)


Dear Judge Baer:

We represent Defendants Christopher D'Arnaud-Taylor and John Joseph Murphy in the above-referenced action. We write on behalf of all Defendants to inform the Court that earlier today Defendants Taylor, Murphy and Bohan filed a motion to dismiss the securities fraud, negligent misrepresentation, and state common law claims set forth against them in Plaintiff's First Amended Complaint on numerous grounds, including lack of particularity under Rule 9(b), failure to plead reliance, scienter or loss causation, statute of limitations, lack of standing and failure to overcome the business judgment rule. Defendants Charles Vista, LLC and Gregg Lorenzo also filed a motion to compel arbitration and to dismiss the securities fraud and common law claims against them.

In compliance with the Court's order of December 23, 2013 and the parties subsequent discussion with the Court, the memoranda of law filed in support of these motions has been limited to 30 pages in total.

We anticipate that briefing on the motions will be completed in late April 2014.

Respectfully submitted,



Jonathan A. Rotenberg

cc: Martin H. Kaplan, counsel for Defendants Charles Vista, LLC and Gregg Lorenzo, via ECF
Ira G. Greenberg, counsel for Defendant Peter Bohan, via ECF
Steven L. Klepper, counsel for Plaintiff Gavin/Solmonese LLC, via ECF